

REMARKS

Claims 1-20 are currently pending in the application. By this amendment, claim 7 is amended for the Examiner's consideration. Support for the amendment(s) is provided in at least Figures 1 and 3A, for example, and at page(s) 3 of the specification. No new matter is added. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

Allowed Claims

Applicants appreciate the indication that claims 16 and 17 contain allowable subject matter. However, Applicants submit that all of the claims are in condition for allowance for the following reasons.

35 U.S.C. §102 Rejection

Claims 1-12 were rejected under 35 U.S.C. §102(b) for being anticipated by U. S. Patent No. 4,531,496 to Thomas. Claims 7-15 and 18-20 were rejected under 35 U.S.C. §102(b) for being anticipated by U. S. Patent No. 5,979,411 to Ricco. These rejections are respectfully traversed.

In order to reject a claim under 35 U.S.C. §102(b), a single reference must recite every element or step of the rejected claim. In the instant matter, the Examiner asserts that Thomas discloses all of the elements of claims 1-12 and Ricco discloses all of the features of claims 7-15 and 18-20. Applicants respectfully traverse this assertion in that neither the Thomas reference nor the Ricco reference disclose every element of the respective rejected claims.

Thomas

Claim 1, for example, recites a first tubular member and a second tubular member both being provided with a keyway. Also, claim 1 recites that a curvilinear member abuts the first and second tubular members, and has at least a portion adapted to be disposed in the first and

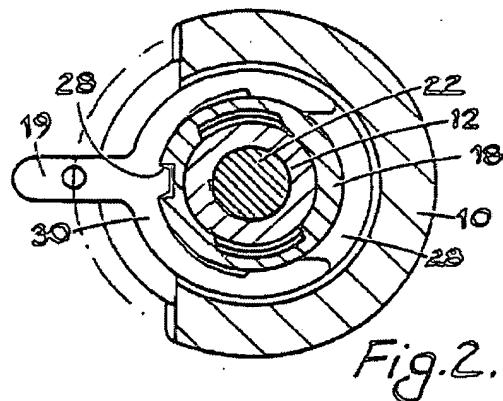
second key ways. Claim 7, amongst other features, recites preventing movement of the first groove relative to the second groove by inserting a member in the first groove and the second groove. These features are not shown in the Thomas reference.

In Thomas, only a single keyway is provided in the sleeve 29. This keyway is shown at reference numeral 28. However, there is no keyway shown in the tubular member, e.g., body 10. A radial arm 19 is provided in the keyway 19. This radial arm 19 allows for the angular movement of the sleeve 28, and does not prevent any movement, whatsoever. That is,

The arm 19 is connected to an adjusting mechanism whereby the angular setting of the plunger can be varied.

See, specification at col. 2, lines 28-30.

Also, in Thomas, the arm is not in abutting contact with both the body 10 and the sleeve 28. In fact, the fuel injector pump is designed specifically so that the radial arm is only in contact with the sleeve 28, i.e., keyway of the sleeve. If there was contact with the body 10, then the radial movement of the sleeve would be impinged. In other words, the radial arm is not used to prevent any rotation, but is designed to permit a rotation of the sleeve with respect to the body. This is shown in figure 2, reproduced below, and is clearly different than the claimed invention.



Thomas also does not show a band and other features of the claimed invention.

Ricco

Ricco also does not show all of the features of the claimed invention. For example, Ricco does not show aligning the first groove with the second groove by abutting an end of the first tubular element with an end of the second tubular element. Instead, in Ricco, connecting element 17 is fitted into a cavity or open end of the end element 13. There are no abutting ends. In use, fastener 34 is first fitted onto end element 13 by widening arc 37 slightly to get past flange 32, so that the fastener is secured to injector 5. The connecting element 17 is then inserted inside cavity 23 of the end element 13. At this point, the fastener 34 is pulled so that the two curved portions 38 of arms 36 engaging the outer surface of flange 32 snap inside cavities 33 and, via openings 43, also engage annular groove 42 of the element 17 to lock the connector 16 to injector 5. See, col. 3, lines 10-15.)

Ricco also does not show the curvilinear member has at least a portion adapted to be disposed substantially about the circumference of the first and second tubular members within the first and second key ways. In Ricco, only a portion of the fasteners is connected to the elements.

Serial No.: 09/903,676

--9--

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,



Andrew M. Calderon
Registration No. 38,093

Dated: February 18, 2004
McGuireWoods, LLP
Suite 1800
1750 Tysons Blvd.
McLean, VA 22102
(703) 712-5426